

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 03/29/2001
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of the reinstatement of an information collection received on 01/10/2001.

TITLE: Applications and Reporting Requirements for Small
Takes of Marine Mammals by Specified Activities
Under the Marine Mammal Protection Act

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0151

EXPIRATION DATE: 03/31/2004

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	0	0	0
New	78	7,512	1,673
Difference	78	7,512	1,673
Program Change		7,512	1,673
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

SUPPORTING STATEMENT

A. Justification

1. Explain why you need to conduct the information collection.

The Marine Mammal Protection Act of 1972 (MMPA, 16 U.S.C. 1361 *et seq.*) (appropriate parts of the MMPA are attached) imposed, with certain exceptions, a moratorium on the taking of marine mammals. Taking means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture or kill any marine mammal and can be intentional or incidental. Civil or criminal penalties may result from taking a marine mammal without an authorization.

Section 101(a)(5)(A) of the MMPA directs the Secretary of Commerce to allow, upon request, the taking of small numbers of marine mammals incidental to specified activities under implementing regulations that, among other things, establish the permissible methods of taking, provided the National Marine Fisheries Service (NMFS) can determine that the taking is having no more than a negligible impact on marine mammals and not having an unmitigable adverse impact on the subsistence needs of Alaskan Natives. In supporting legislative reports, the U.S. Congress clearly placed the responsibility for providing the information necessary for NMFS to make determinations on the activity itself, not on the Federal Government. After regulations are issued to authorize the taking, Letters of Authorization (LOA's) must be obtained by those conducting the activity and annual reports must be submitted. Procedural regulations outlining the requirements for the submission of requests are contained in 50 CFR 216 Subpart I. Specific regulations governing authorized activities are contained in subsequent subparts to 50 CFR Part 216 (Attachment 2). Section 101(a)(5)(A) of the MMPA also requires activities to monitor and report interactions with marine mammals. This information is necessary to verify the statements made by the activity, and the determinations made by NMFS, that the taking incidental to conducting the activity is having no more than a negligible impact on marine mammals and not having an unmitigable adverse impact on the subsistence needs of Alaskan Natives. By implementing a system having generic regulations for an activity, and authorizing LOAs under those regulations, paperwork burdens are significantly reduced on those receiving LOAs (if the universe is more than one) since they do not need to duplicate the information necessary to support their activity's marine mammal take.

The MMPA Amendments of 1994 established, under section 101(a)(5)(D) of the MMPA, an expedited process by which citizens of the United States can apply for an authorization to take incidentally, but not intentionally, small numbers of marine mammals by harassment. This amendment eliminates the need for regulations, but retains the requirements for applications, monitoring and reporting interactions with marine mammals. Although this does not reduce the paperwork burdens significantly on the activity to provide to NMFS, it expedites NMFS review and approval of the application.

2. Explain how, by whom, how frequently, and for what purpose the information is to be used.

Under this program, the collection of information is the responsibility of the individual, organization, or federal agency petitioning NMFS for either regulations or a "permit" to allow a taking of marine mammals incidental to the activity. The information required to be provided in requests for regulations or authorizations (50 CFR 216.104) is used by NMFS and the general public to evaluate the impacts of the proposed activity on marine mammals and in making the findings and either issuing regulations and LOAs, or Incidental Harassment Authorizations (IHAs), required by the MMPA. To issue regulations and authorizations to govern the taking, NMFS must (1) find that the total taking will not have more than a negligible impact on the species and will not have an unmitigable adverse impact on the availability of the species for subsistence uses, (2) prescribe regulations or conditions in the authorization setting for the permissible methods of taking and other means of effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, and (3) prescribe regulations or conditions to the Authorization, pertaining to the monitoring and reporting of such taking.

For small take applications, the information items requested from applicants are found in 50 CFR 216.104(a), which is attached. Information items (1) and (2) are necessary for NMFS to judge the size, scope and duration of the proposed activity, while items (3) and (4) are necessary to describe the environmental setting of the activity. Information requests (5) through (10) are to ensure that the expected impact from the activity will have no more than a negligible impact on the affected marine mammals, their critical habitat, and, if appropriate, on affected subsistence lifestyles of Alaskan natives. Information item (11) is required to meet the statutory requirement in section 101(a)(5)(A)(ii)(I) to ensure that the taking is effecting the least practicable impact on the species and habitat.

While information item (12) is not required by statute, it has been implemented by agreement between the oil and gas industry and Alaskan Natives to ensure cooperation between the two parties (following lengthy litigation). This information item ensures that the industry has and will continue to communicate with the appropriate affected Alaskan Native communities. Failure to do so may result in a delay in processing the application due to the longer time period needed to review the activity and ensure the activity would not result in an unmitigable impact on Native subsistence needs for marine mammals. However, if the applicant's activity does not take place in Arctic waters, information items (8) and (12) are not applicable and can be ignored. Because the MMPA requires small take authorizations to have an appropriate level of monitoring and reporting, information item (13) requests that this information be provided.

Finally, information item (14) requests (it does not require) information on what plans the applicant may have to conduct research on the impacts on marine mammals from the activity. This information is requested in compliance with the sense of Congress in passing the 1981 Amendments to the MMPA (H. Rept.97-228, p.20) that persons operating under the small take authority engage in appropriate research designed to reduce the incidental take. Often research is undertaken in lieu of monitoring

(when monitoring may not be economically practical) or when serious unanswered questions on the impacts on marine mammals remain).

The analysis involved in making the statutory determinations requires detailed information on the activity, the affected marine mammals, and how the activity may affect the animals directly or indirectly through alterations of the habitat. For example, before allowing the taking of ringed seals incidental to seismic activities, based in major part upon information provided by the applicant, NMFS prepared an environmental assessment under the National Environmental Policy Act, that evaluated the available data to determine the area affected by the activity, the usage of the habitat by ringed seals, if ringed seal are displaced, the effects of displacement on the population, how the habitat is altered, and the effects of the alteration on the population.

Information in a request for an LOA (under regulations) varies by activity. It is used to determine if the applicant falls within the scope of the specific regulations or if the application for an IHA is warranted. Information required concerns the dates, location, methods and level of activity to determine if the potential taking is covered by the specific regulations and the statute.

Information in a request for an IHA, because the negligible impact determination has not been made, needs to contain both a description of the activity, and an assessment of the impacts on marine mammals in the vicinity of the activity. In this case, the application for a harassment authorization, needs to be as detailed as a request for regulations.

Ninety-Day and annual reports must include a description of the activity including time, location, and place; a summary of the monitoring program, an assessment of the effects of the activity on marine mammals including the estimated level of take by species. Although not commonly imposed, additional reporting requirements may be required on a case-by-case basis under either activity-specific regulations and authorizations issued under those regulations or an Incidental Harassment Authorization.

NMFS uses interim (90-day) and annual reports to determine if the activity took place as described in the request for an LOA or IHA, if the monitoring plan submitted was conducted, to determine if the taking of marine mammals was more than that authorized, and to determine if the holder of the LOA or IHA complied with other requirements included in the authorization. For example, in Alaska, regulations and authorizations include requirements for cooperating with the whaling communities to ensure that oil and gas exploratory activities do not reduce the availability of marine mammals for subsistence hunting. When interim reports are determined unnecessary to ensure that the activity was having no more than a negligible impact, the requirement for this report is waived.

If the information is not collected, the incidental taking could not be authorized and possibly the activity could not take place, either through litigation by the general public or through enforcement proceedings by NMFS. However, it is made clear to applicants and the general public, that issuance of regulations, LOAs or IHAs are not a permit to conduct the activity, only to incidentally take marine mammals during the course of that activity. Likewise, failure to obtain an LOA or IHA does not mean the activity

cannot take place, but if a marine mammal is taken (harassed, injured or killed) while conducting that activity, the operator is subject to prosecution under the MMPA.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology, and the basis for the decision for adopting this means of collection.

The application instructions are in .PDF format and are available upon request and may be forwarded electronically over the Internet. Plans are underway to put the application instructions on the Office of Protected Resources Home Page.

To date, applications have not been accepted via the Internet, although draft discussion copies of applications and final copies are often transmitted in this fashion. The problem has centered around the lack of an authorized signature that is necessary for applications. Recent electronic signature authority should alleviate that road-block. Interim and final reports however are acceptable via the Internet since no authorizing signature is required.

4. Describe efforts to identify duplication with other collections which may be gathering the same or similar information.

NMFS and the U.S. Fish and Wildlife Service (USFWS), Department of the Interior, share responsibilities under the MMPA, with each agency being responsible for different species. Parallel regulations minimize duplication of effort on the part of those applicants "taking" marine mammal species under both agency's jurisdiction. However, because of the limited number of marine mammal species under the jurisdiction of the USFWS, that agency has not implemented an IHA program.

However, without an application, NMFS would be unaware of the applicant's need for an exemption to the MMPA's moratorium on taking marine mammals. Information previously supplied or otherwise available can be referenced and need not be submitted. In addition, applicants that are federal agencies or are funded by federal agencies are required to comply with the National Environmental Policy Act (NEPA). Documents required by that law can be either used in preparation of a submission for a request for regulations or submitted as supporting documentation depending upon the content of the NEPA documents.

The information needs to be provided by the applicant based on the applicants' knowledge of the activity and its impacts and previous experience. This information, as well as other information available to NMFS, is used in making the findings and issuing the regulations. This ensures that the best available information is used, as required by 50 CFR Part 216. In addition, under the permit provisions of the MMPA, applicants have the burden to demonstrate that the taking of marine mammals will be consistent with the purposes, policies and provisions of the MMPA (see Section 104(d)(3)). In describing the burden of proof requirement, Congress noted in the legislative history that "If the burden is not carried--and it is by no means a light burden--the permit may not be issued. The effect of this set

of requirements is to insist that the management of the animal populations be carried out with the interests of the animals as the prime considerations." (H.R. Rep. No. 707, 92nd Cong. (1971)).

5. If the collection of information will have a significant impact on small entities such as small businesses, organizations, or government bodies, describe the methods used to minimize the burden on them.

NMFS does not anticipate small businesses being significantly affected, unless they either have an unauthorized taking of a marine mammal (i.e., they have not applied for a small take authorization). Most potentially affected applicants are identified as university researchers; oil and gas exploration companies and their contractors; and Federal agencies (especially Defense Department agencies) and their contractors. While contractors may be considered small businesses, in many cases they are contracted to supply the information required under this collection. Otherwise, they are unaffected.

In those cases where small businesses might be affected (such as oil rig removal contractors in the Gulf of Mexico), NMFS seeks out a larger entity (such as, in this case, the American Petroleum Institute or the U.S. Minerals Management Service) to gather the necessary information. Small contractors then need only provide NMFS with minimal information (such as company name and appropriate contact) in order to obtain an LOA.

6. Describe the consequences to the Federal program or policy activities if the collection were conducted less frequently.

Requests for regulations and authorizations are on an as-needed basis. However, by law, regulations can only be effective for a period of 5 years or less. The period of validity for an LOA is determined on a case-by-case basis depending upon the specific activity, usually depending upon the reporting period. IHAs are limited by statute to a period no greater than 1 year.

A reporting period depends upon the specific activity. A reporting period greater than annually may not ensure adequate monitoring of the activity, and may be viewed as not being responsive to the mandates of Congress as expressed in the MMPA. Wherever possible, however, multi-year reporting would be authorized. Also, whenever possible, 90-day reports are waived.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

This collection is consistent with OMB guidelines.

8. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

NOAA published a request for review and comment on the subject collection of information on September 8, 2000 (65 FR 54500). A copy is attached. No comments were received either during or after the 60-day public comment period.

In addition to the above notice, the MMPA requires notice and opportunity for public comment on the promulgation of regulations when an application is submitted as part of the request for regulations. The information collection items required in requests for small take authorizations were published in 1982, 1988 and 1995, as proposed rules with an opportunity for public comment. A PRA notice requesting comments on the paperwork burden was also published at the proposed (60 FR 28379, May 31, 1995) and interim (61 FR 15884, April 10, 1996) rule stage. No comments were received in response to these PRA collection notices.

In addition the general public (including the affected universe) is offered an opportunity to comment on each new set of regulations including the proposed application and reporting requirements. These requirements may be subsequently modified depending upon these comments.

The following people were contacted in 1997 to discuss the availability of the information being requested and the estimated burden hours to compile the information:

Mr. Jim Johnson
30th Space Wing
Vandenberg Air Force Base, Calif.
(805) 866-5834

Dr. Christopher J. Herlugson
BP Exploration (Alaska) Inc.
900 East Benson Boulevard
Anchorage, AK 99519
(907) 564-4245

Mr. Will Sloger
Naval Facilities Engineering Command
Southern Division
P.O. Box 190010
North Charleston, SC 29419
(803) 820-5797

Since information items have not changed since the last survey, NMFS has not repeated it. Mr. Johnson and Mr. Sloger remain active participants in the small take program. Mr. Herlugson has moved to another assignment. Currently, Mr. Dave Trudgen (907-564-5473) is the point of contact for this company.

9. Explain any decision to provide payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts were provided.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The information collection is a matter of public record and no material of a confidential nature is required.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of burden of the collection of information.

In 1994, the MMPA was amended to reduce the regulatory burden (but not the paperwork burden) on applicants to allow them the option of applying for incidental harassment authorizations instead of requesting regulations. As a result of the amendment, and because of increased interest in the small take program (and the threat of Non-Governmental Organization litigation for not applying), the information collection burden has been adjusted upwards once again.

The total annual burden hours is now estimated at 7,512 hours, as follows:

- a. Request for new or renewal of regulations:
4 requests/year @ 483 hours per request = 1,932 hours.
- b. Applications for Letters of Authorization (response time varies significantly due to complexity-see Table 1): 34 applicants/year @ 25.8 hours/application = 880 hours.
- c. Applications for Incidental Harassment Authorizations:
6 applicants/year @ 200 hours each application = 1,200 hours.
- d-1. Reports (90-day and Annual) for Incidental Harassment Authorizations: 12 reports @ 120 hours each = 1,440 hours.
- d-2. Reports (90-day and Annual) under Letters of Authorization: 22 reports @ 93.6 hours each = 2,060 hours.

Detailed estimates of burden hours per activity is given in Table 1. See response to item 8 for persons contacted in 1997 to discuss burden estimates. The complexity of the application or reports varies greatly due to the following: (a) level of controversy over the activity, (b) level and type of incidental take of marine mammals, and (c) level of unresolved questions involving activity's long-term impact on marine mammals, habitat and/or subsistence needs for marine mammals. The lower the level of concern over each of the three items, the lower the information burden on the applicant.

13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection.

There are no identified costs associated with capital and start-up components. All costs are associated with staff and contractor preparation of applications and reports. However, the U.S. Navy has implemented a data base program called LMRIS (Living Marine Resources Information System) to expedite information for preparing applications under this program and to assess activity program impacts under the National Environmental Policy Act, the Endangered Species Act and E.O. 12114. At this time, all data inputs to the LMRIS system are provided by NMFS.

Costs associated with providing the applications and reports, such as data entry, copying, filing, and mailing are accounted for under the contractor overhead charges.

Total cost to the applicants is \$1,673,075. as follows:

◆ Cost of preparing four requests for regulations per year is \$483,000. (4 x 483 hrs/request \$125/hr (contractor consultant fees) x 2.0 (overhead));

◆ Cost of preparing 6 applications for an Incidental Harassment Authorization per year is \$186,000 (6 x 200 hours x \$77.50/hr (50% contractor @ \$125/hr: 50% employee costs @ \$30./hr) x 2.0 (overhead));

◆ Cost of preparing 34 applications for Letters of Authorization per year is \$129,275. as follows:

Simple- 25 applications (3 hours/application x \$30/hr (employee costs) x 2.0 (overhead)) = \$4,500;

Complex- 9 applications (4-120 hrs/application) total 805 hrs x (50% contractor @ \$125/hr: 50% employee costs @ \$30./hr) x 2.0 (overhead) = \$124,775.

◆ Cost of preparing 32 annual reports per year is \$874,800. as follows:

IHAs: 12 reports/year @ 120 hours/report (\$125 hr contractor x 2.0 (overhead) = \$360,000.

LOAs 22 reports @ 93.6 hours each (2,864 hrs x \$125/hr (contractor fees) x 2.0 (overhead)) = \$514,800.

14. Provide estimates of annualized cost to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without the paperwork burden.

Total cost to the Government¹ next year and beyond is expected to be approximately \$ 261,543. for 3 FTPs (1 GS-14 and 1 GS-12 in Hdqtrs; 1 FTP equivalent for work in regions related to this program) x 1.5 (overhead and printing)).

15. Explain reasons for changes in burden, including the need for any increase.

This is a reinstatement of a previously-approved collection. An increase in total collection hours from the previous approval has been estimated for several reasons: (1) an increase in the number of applicants for regulations and IHAs; (2) an increase in the reporting burden for certain activities due to public interest and oversight; and (3) an increase in responding to the questions in the application instructions also due to increased public interest in these programs.

16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis, and publication.

There are no plans for publish the data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

No such approval is sought.

18. Explain each exception to the certification statement identified in Item 19 of the OMB-83I.

None.

B. Collections of Information Employing Statistical Methods.

The information collection described in this request does not employ statistical methods (except in order to estimate marine mammal incidental take levels, which reduces monitoring costs on the applicants).

¹ When the Federal government is also the applicant, this cost is shown as the cost to the applicant under Item 13.

Attachments

1. Table 1
2. MMPA (with amendments).
3. 50 CFR Part 216 (61 FR 15884).
4. FEDERAL REGISTER Notice on Paperwork Collection.

ACTIVITY	NUMBER OF APPLICANTS LOA HOLDERS &/or REPORTS	HOURS/REPORT OR APPLICATION	TOTAL HOURS
<u>Subpart I</u>	<u>General Implementing Regulations for Small Takes</u>		
Petition for Regulations	4/yr-average	483	1932
IHAs	6/yr-average	200	1200
IHA Reports	12	120	1440
<u>Subpart J</u>	<u>On-Ice Seismic (expires on 12/31/02)</u>		
Petition*	0	0	0
LOA Application	5	3	15
Reports	5	30	150
<u>Subpart K</u>	<u>Missile/Rocket Launch Activities (expires 12/31/03)</u>		
Petition*	0	0	0
LOA Application	1	5	5
Reports	1	150	150
<u>Subpart L</u>	<u>Nuclear Power Stations (expires 6/30/04)</u>		
Petition*	0	0	0
LOA Application	0	0	0
Reports	2	80	160
<u>Subpart M</u>	<u>Oil Rig Removals in the Gulf of Mexico (renewal FY01)</u>		
Petition*	0	0	0
LOA Application	20	3	60
Reports (by NMFS)	0	0	0

<u>Subpart N</u>	<u>Shock Trial of the USS WINSTON CHURCHILL (Complete in FY01)</u>		
Petition*	0	0	0
LOA Application	0	0	0
Reports	2	120	240
<u>Subpart O</u>	<u>Shock Trial of the USS SEAWOLF (expires 9/30/04)</u>		
LOA Application	0	0	0
Reports	2	120	240
<u>Subpart P</u>	<u>North Pacific Acoustic Laboratory (Complete in FY01)</u>		
Petition*	0	0	0
LOA Application	1	40	40
Reports	2	120	240
<u>Subpart Q</u>	<u>U.S. Navy LF Sonar Operations (Complete in FY01)</u>		
Petition*	0	0	0
LOA Applications	4	120	480
Reports	2	120	240
<u>Subpart R</u>	<u>Oil Development in the U.S. Beaufort Sea (expires 5/25/05)</u>		
Petition*	0	0	0
LOA Applications	2	120	240
Reports	2	80	160
<u>Subpart S</u>	<u>U.S. Coast Guard Activities (Complete in FY01)</u>		
Petition*	0	0	0
LOA Application	1	40	40
Reports	2	120	240
<u>Subpart T</u>	<u>Theater Missile Defense Activities (Complete in FY02)</u>		
Petition*	0	0	0
LOA Application	0	0	0
Reports	2	120	240

TOTAL HOURS

7,512

* Paperwork accounted for under Subpart I.